

## **ANALYSIS**

This ordinance amends Title 3 - Advisory Commissions and Committees of the Los Angeles County Code, relating to the creation and authority of a Community Health Center Board, the purpose of which is to act as the governing body for County health facilities which are seeking or have received federally qualified health center status.

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**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 3 - Advisory Commissions and Committees of the Los Angeles County Code, relating to the creation and authority of a Community Health Center Board, the purpose of which is to act as the governing body for County health facilities which are seeking or have received federally qualified health center status.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Title 3 is hereby amended to add Chapter 3.77 to read as follows:

**Chapter 3.77**

**COMMUNITY HEALTH CENTER BOARD**

**Sections:**

- 3.77.010 Created and purpose.
- 3.77.020 Membership and appointment.
- 3.77.030 Terms.
- 3.77.040 Compensation and expenses.
- 3.77.050 Meetings.
- 3.77.060 Operating procedures.
- 3.77.070 Duties.
- 3.77.080 Limitations on authority.
- 3.77.090 Conflicts of interest.

### **3.77.010 Created and purpose.**

There is hereby created in Los Angeles County a commission which shall be known as the Community Health Center Board ("CHCB"). The purpose of the CHCB is to act in conjunction with the board of supervisors as the governing body of those health clinics and comprehensive health centers operated by the county which are designated by director of health services as part of the entity which has, or is seeking, status as a federally qualified health center as defined in 42 U.S.C. § 1396d(l)(2)(B) ("county FQHC").

### **3.77.020 Membership and appointment.**

- A. The CHCB shall consist of eleven members.
- B. In the case of the initial membership of the CHCB, the director of health services, or his designee, shall nominate qualified individuals to serve on the CHCB for appointment by the board of supervisors.
- C. Except in the case of the initial membership of the CHCB, the CHCB shall nominate qualified individuals to fill each vacancy. The names of these nominees shall be transmitted to the board of supervisors no later than sixty days prior to the expiration of the current appointments, or as soon as possible for any vacancy resulting from any reason other than the expiration of a term.

D. Should the board of supervisors not appoint one or more of the individuals nominated, the CHCB, or in the case of the initial membership the director of health services, shall submit an alternative nomination to the board of supervisors.

E. Most members of the CHCB shall be residents of or work in the geographic area served by one of the clinics or comprehensive health centers which are part of the county FQHC.

F. No less than six of the members shall be individuals who are, at the time of their nomination, being served by the county FQHC ("user members"). In making the nominations and appointments, the nominating body and the board of supervisors will assure that the user members, as a group, are representative of the clinics' user population in terms of attributes such as ethnicity, race, gender, age and economic status.

G. The remaining members shall be individuals who are representative of the community served by the county FQHC and who possess expertise in community affairs, finance and banking, legal affairs, unions, and other commercial and business concerns, or that possess other skills or expertise that are likely to be beneficial to the CHCB, and who have provided leadership in the community ("nonuser members"). No more than half of the nonuser members may receive more than ten percent of their annual income from the health care industry.

H. No member of the CHCB shall be an employee or an immediate family member of a person employed at the county FQHC.

### **3.77.030 Terms.**

The term of each CHCB member shall be two years, provided, of the initial members, five shall be appointed for an original term of one year only. The director of health services, or his designee, shall recommend and the board of supervisors shall designate those initial members whose first term is to be one year only. Any member of the CHCB may be removed prior to the expiration of his or her term by three-fifths vote of the board of supervisors. When replacing a user member whose position has become vacant for any reason, the CHCB shall nominate and the board of supervisors shall appoint another user member whose personal attributes assure that the user members, as a whole, are representative of the clinics' users and that the ratio of user members to nonuser members is maintained. An individual appointed to fill a vacancy occurring in the middle of a term shall be appointed only for such period as is necessary to complete the term. No member shall be appointed to serve more than three consecutive terms; however, the board of supervisors may, by order, extend this length of service or waive this limit for individuals or for the CHCB as a whole.

### **3.77.040 Compensation and expenses.**

Upon further action by the board of supervisors, members of the CHCB may, at the discretion of the board of supervisors, receive a stipend for participation in CHCB meetings. In addition to their compensation, if any, members of the CHCB shall be reimbursed for their necessary traveling expenses when they are required to travel in the performance of their duties, including transportation, meals and lodging, in

accordance with the provision of Ordinance 4099. Further, child care expenses shall be allowable in accordance with policies adopted by the county for county commissioners.

#### **3.77.050 Meetings.**

Meetings shall be held at least once each month, and minutes of such meetings shall be maintained.

#### **3.77.060 Operating Procedures.**

The CHCB shall enact bylaws or similar procedural guidelines, which may include provisions relating to the election of officers, their terms of office, methods for voting, the structure of committees and such other rules, procedures and regulations it may desire.

#### **3.77.070 Duties.**

A. Notwithstanding the delegation of similar responsibilities to any other person in this code, but subject to the limitations in Section 3.77.080 below, the duties of the CHCB shall be as follows:

1. Pursuant to a process to be established which is consistent with the requirements of the county civil service system, approve the selection and removal of the person assigned direct administrative responsibility for the operation of the county FQHC;

2. Subject to adoption by the board of supervisors, approve the budget for the county FQHC operations, and within appropriations available for such purposes, develop financial priorities and strategies for major resource utilization, after consultation with the director of health services or his designee;

3. Within the funds appropriated by the board of supervisors, adopt policies identifying the services to be delivered at the county FQHC, service delivery locations, and the hours during which services are to be provided;

4. Evaluate at least once each year the effectiveness of the county FQHC in making services available and accessible to residents of the service area. Such evaluation shall cover, but be not limited to, utilization patterns, productivity, patient satisfaction, and achievement of program objectives;

5. Develop and implement a procedure for hearing and resolving patient grievances;

6. Adopt quality of care audit procedures;

7. Assure compliance with federal, state, and local laws and regulations; and,

8. Adopt such other policies as are necessary and proper for the efficient and effective operation of the clinics.

B. Prior to adopting any policy affecting the financing or operation of the county FQHC, the CHCB shall provide a copy of the draft policy to the director of health services, or his designee, and shall provide the director a reasonable opportunity of no less than 14 days to comment on such draft policy.

### **3.77.080 Limitations on authority.**

The board of supervisors shall retain the exclusive authority to set general policy on fiscal and personnel matters at the county FQHC, including but not limited to those policies reflected in this code. Fiscal matters within the retained exclusive authority of the board of supervisors include, for example, establishment of management and control systems that are in accordance with sound financial management; systems for eligibility determinations, billing and collections; and, long range financial planning. Personnel matters include, but are not limited to, selection and dismissal procedures, salary and benefit scales, employee grievance procedures and equal employment opportunity practices. The CHCB may not adopt any policy or practice, or take any action, which is inconsistent with this code or which alters the scope of any policy set by the board of supervisors on fiscal or personnel matters.

### **3.77.090 Conflicts of interest.**

The CHCB will be governed by and comply with applicable state conflict of interest laws (e.g., Government Code § 87000 et seq.; and 1090 et seq.).

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